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IN THE DISCLOSURE

On page 2, line 11, replace "are" with "and"  
Page 2, line 18, replace "adjust" with "adjuster"  
Page 2, line 38, replace "tors" with "torso"  
Page 3, line 34, replace "nad" with "and"  
Page 3, line 36, replace "accros" with "across"  
Page 3, line 36, replace "user 12" with "user 12."  
Page 6, line 37, replace "opeening" with "opening"  
Page 6, line 38, replace "thye" with "the"

IN THE CLAIMS

Amend claim 5 line 3, by replacing "the open side" with "the third side".

Amend claim 6, line 4, to insert between "between" and "when" --the first and second sides"--

IN THE REMARKS

Claims 1 to 8 remain in the application. Reconsideration and reexamination of the application on the basis of the amendments and the following remarks is respectfully requested.

As requested by the Examiner, the typographical errors in the disclosure have been corrected.

As requested by the Examiner, claim 5 has been amended to replace the open side with the third side.

As requested by the Examiner, claim 6 has been amended to insert the reference to the opening being between the two joined sides. This amendment has support in the disclosure in the first full paragraph, beginning on page 5. With the amendment, it is respectfully submitted that the objection to the claim under 35 U.S.C. 112 has been overcome. Clean copies of pages of all of the above amendments are attached hereto.

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Claim 1 had been rejected under 35 U.S.C. 102(b) as being anticipated by either Cook et al or McCracken. Applicant respectfully traverses the rejection.

Cook et al reference is directed to a protective grip and cover for the latch end of a dual lap-shoulder safety belt. The cover is a V-shaped, flexible, resilient, washable, one-piece molded plastic, tubular body having two tubular, divergent legs which receive and protect a portion of each of the lap and shoulder belts. While the body covers and protects the attachments of the belt to the latch plate, as is immediately apparent from Cook, the cover of Cook is not a truncated triangle having two sides joined together and a third open side for insertion of the lap and shoulder belt. Rather, as is clearly shown in the cross-section in Figure 2 of Cook, the legs are completely enclosed with no openings. In addition, there is no teaching or suggestion in Cook that the cover is capable of distributing forces from the shoulder and lap belt over a larger area of the torso of the user upon the belt inserting a force on the user of the belt. Accordingly, it is respectfully submitted that Cook does not describe a protective covering for a shoulder and lap seat belt including all of the limitations in claim 1.

McCracken describes a child safety belt sleeve, which is a pliable funnel-shaped frame structure in which the safety belt may be releasably inserted prior to fastening of the safety belt. The funnel shaped structure may be provided with a protective cover which also enhances the aesthetic appearance of the sleeve. However, it is respectfully submitted that McCracken does not suggest let alone teach, a protective cover having a front and back with a space there between for receiving the shoulder and lap belt, the cover having a generally truncated triangular shaped with a front and back being joined together along two sides with a third side being open for receiving the shoulder and lap belt and the junction between the two sides being provided with the opening to permit the tongue of the seatbelt to pass there through and engage the latch of the buckle. While McCracken's safety belt sleeve may provide similar benefits to that of the structure of the present invention, the structure of the present invention is different from that of McCracken and one would not be led to produce a structure such as that described in the claims of the present invention in view of McCracken. Accordingly, it is respectfully submitted that claim 1 is not anticipated by McCracken et al.

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Claims 2 to 5 were rejected under 35 U.S.C. 103(a) as being unpatentable over McCracken in view of Zheng. Application respectfully traverses this rejection.

Zheng describes a seatbelt adjuster to position the seatbelt around a child's waist, so that the shoulder strap does not extend across and interfere with the child's face. The seatbelt adjuster comprises a body panel forming two half panels stitched along a central portion of the half panels to form a channel between the two half panels. The adjuster is provided with four openings, two on either side of the panel. Detachable flaps are provided for spacing in the opening on each side from one another. In operation, the shoulder and lap belts pass through two openings on one side of the panel and the latch exits from the lower opening on the other side of the panel. However, the combination of McCracken and Zheng does still not teach a protective covering as set forth in the claims of the present invention, in particular, the combination doesn't suggest a protective covering having a generally truncated triangular shape with the front and back being joined together along two sides with the third side being open for receiving the shoulder and the lap belt, wherein the third side is provided with a releasable securing means to permit the front and back to be releasably secured to one another after the belts are received there between. Accordingly, it is respectfully submitted that the combination of McCracken and Zheng does not render obvious the invention as set forth in claims 2 to 5 of the present application.

Claims 6 to 8 have been rejected under 35 U.S.C. 103(a) as being unpatentable over McCracken in view of Zheng and Smith. Applicant respectfully traverses the rejection.

McCracken and Zheng have been discussed above Smith describes a safety belt buckle guard having a flexible body of fabric adapted to wrap around an engaged belt buckle assembly, a rigid member for preventing depression of the release mechanism and means for properly positioning the safety belt buckle guard, so that the rigid member overlies the release belt. However, it is respectfully submitted that the combination of these references still does not teach a covering having the particular structure set forth in the present claim. Accordingly, it is respectfully submitted that

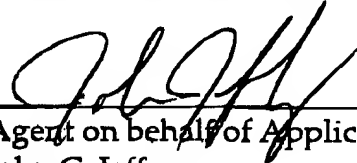
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the combination of McCracken, Zheng and Smith does not render obvious the claims in the present application.

In view of all the foregoing, it is respectfully submitted that the application is allowable and early allowance is hereby requested.

Respectfully submitted,



Agent on behalf of Applicant

John C. Jeffrey

Registration No. 35,764

(416) 368-8313

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Page 1, line 32 to page 2, line 15 paragraph

A1 In some situations and especially with younger children, it may be difficult to properly adjust the seat belt. In many accident or fast stop situations, an improperly adjusted belt may itself cause injury. An improperly adjusted lap belt which lies across the abdomen and not the hips could damage internal organs. Similarly, an improperly adjusted shoulder belt may cause broken bones such as the clavicle or ribs as well as the risk of punctured lungs or internal bleeding. There have been attempts in the past to provide seat belt adjusters to properly adjust the positioning of the seat belt, especially for young children. Examples of such adjusters are shown in U.S. Patents 3,941,404; D349,589; 5,795,030; 6,086,158; 5,275,468; D424,785; and 5,265,910 among others. While many of these adjusters do allow for the proper positioning of the seat belt, they do have drawbacks. In many designs, it is necessary to readjust the seat belts to the proper position each time the belt is used. This makes it inconvenient to the user and reduces the likelihood of the user not using the adjuster. In addition, many designs do not allow for the distribution of the forces exerted by the seat belt over a larger area of the torso than just the narrow strips of the belts.

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Page 2, line 17 to line 20 paragraph

A2 There thus remains a need for a simple to use seat belt adjuster which increases the likelihood of the user using the adjuster and which will distribute the forces from the belts over a larger area of the torso of a user.

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Page 3, line 20 to line 36 paragraph

A3 A preferred embodiment of a protective covering of the present invention is illustrated in the attached figures. As shown in Figure 1, the seat belt cover 10 is of particular use with a small child 12, although, as will be described below, the cover 10 may be used by other persons. As shown in Figures 1 and 2, the typical motor vehicle seat belt assembly has a shoulder belt 14 and a lap belt 16 which are connected together at a tongue 18. The tongue 18 is releasably insertable into a latch 20 of the buckle assembly. The latch 20 is provided with a button 22 which when depressed, releases the tongue 18 from the latch 20. Without the seat belt covering of the present invention, as shown in Figure 2, if the seat belts 14 and 16 exert a force on the user 12 of the belt in a sudden stop or accident situation, the force of the belts 14 and 16, particularly the shoulder belt 14 is exerted over a narrow strip across the shoulder and torso of a user 12.

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Page 6, line 19 to line 38 paragraph

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As set out above, preferably, the seat belt covering 10 is provided with a means to adjust the spacing between the shoulder belt 14 and lap belt 16 to adapt the seat belt covering 10 to users 12 of varying heights. This is preferably accomplished by providing a tether 56 to encircle the shoulder belt 14. One end of the tether 56 is attached to the interior of the closed side 34, preferably located in the extension of the closed side 34. The tether 56 is attached to the closed side by an elastic material 58 which allows the tether 56 to be extended from the interior of the covering 10. The second end of the tether is provided with complementary parts 60 of the closure means such as the dome fasteners 40 used to close the opening 38. In this way, the tether is attached to the closure means 40 of the opening 38. To adjust the spacing of the shoulder belt 14 and lap belt 16, the specific closure means 40 is selected to give the proper spacing. To make the spacing smaller, the tether 56 is fastened to a closure means 40 lower in the opening 38, while to increase the spacing, a closure means 40 higher up in the opening 38 is selected.

I CLAIM:

1. A protective covering for shoulder and lap  
seats belts of motor vehicles, the belts being connected  
5 together at a tongue releasably insertable into a latch  
of a buckle mechanism, the protective covering  
comprising:  
a front and a back with a space there between  
for receiving the shoulder and lap belt,  
10 the covering having a generally truncated  
triangular shape with the front and back being joined  
together along two sides with the third side being open  
for receiving the shoulder and lap belt,  
the junction of the two joined sides being  
15 provided with an opening to permit the tongue of the seat  
belt to pass therethrough and engage the latch of the  
buckle,  
the covering being capable of distributing  
forces from the shoulder and lap belts over a larger area  
20 of the torso of a user upon the belts exerting a force on  
a user of the belt.
2. A protective covering according to claim 1  
wherein the third side is provided with releasable  
25 securing means to permit the front and back to be  
releasably secured to one another after the belts are  
received there between.
3. A protective covering according to claim 2  
30 wherein the releasable securing means are selected from  
the group consisting of zipper closures, hook and loop  
closures, dome fasteners and buttons.
4. A protective covering according to claim 3  
35 wherein the releasable securing means are dome fasteners.
5. A protective covering according to claim 4  
wherein the dome fasteners permit the adjustment of the  
size of the third side to vary the spacing between the

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shoulder and lap belts to accommodate different sizes of users.

5 6. A protective covering according to claim 5 wherein the opening between the two joined sides is provided with a means for retaining the tongue portion in position in the opening between the first and second sides when released from the latch.

10 7. A protective covering according to claim 6 wherein the means for retaining the tongue is selected from dome fasteners or an elastic ring positioned to engage the tongue at the junction with the shoulder and lap belts.

15 8. A protective covering according to claim 7 wherein the opening between the two joined sides is provided with an elastic mesh cover to cover the latch release button when the tongue engages the latch of the  
20 buckle.

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